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June 25, 2019

VIA ECF

The Honorable Steven C. Mannion
United States Magistrate Judge
United States District Court
District of New Jersey
Martin Luther King Building &
U.S. Courthouse
50 Walnut Street Room 4015
Newark, NJ 07101

**RE: *White, et al. v. Samsung Electronics America, Inc., et al.,*
U.S.D.C., D.N.J., No. 2:17-cv-01775-MCA-SCM**

Dear Magistrate Judge Mannion:

We are counsel for Defendant Samsung Electronics America, Inc. in this matter. We submit this brief agenda letter on behalf of all parties in advance of the Telephone Status Conference scheduled for June 28, 2019 at 10:45 a.m. Eastern Time.

As Your Honor is aware, on September 26, 2018, Judge Arleo issued a letter order (Dkt. No. 82) granting Defendants' second Motion to Dismiss (Dkt. No. 54) in its entirety. Pursuant to stipulation of the parties (Dkt. No. 70-1), this Court previously ordered "that all discovery in this matter shall be stayed pending further order of the Court after a decision ruling on Defendants' motion to dismiss" (Dkt. No. 72).

Following your direction and procedures, the parties subsequently stipulated to Plaintiffs filing a Second Amended Complaint, with Defendants reserving all challenges to the pleading for a Rule 12 motion. Dkt. No. 86 (stipulation); Dkt. No. 87 (order). On November 16, 2018, Plaintiffs filed their Second Amended Complaint, which added a proposed New Jersey class representative and also a claim under the Florida Deceptive and Unfair Trade Practices Act.

Defendants filed their third Motion to Dismiss the entire Second Amended Complaint on December 17, 2018 (Dkt. No. 94); Plaintiffs filed an opposition on January 28, 2019 (Dkt. No. 97); and Defendants filed a reply on February 19, 2019 (Dkt. No. 98). Defendants' motion to dismiss is now fully briefed before Judge Arleo.

Pursuant to your direction (Dkt. No. 100) and agreement of the parties, counsel for Sony will initiate the call for the Telephone Status Conference on June 28, unless the Court directs otherwise.

GIBBONS P.C.

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We thank the Court for its consideration of this submission.

Respectfully submitted,

s/ Michael R. McDonald

Michael R. McDonald

cc: All Counsel of Record (*via ECF*)